

DRAFT RECODIFICATION

Title 43 RCW STATE GOVERNMENT—EXECUTIVE

Chapter 43.30 RCW DEPARTMENT OF NATURAL RESOURCES

PART I General

RCW 43.30.010 Purpose.

The purpose of this chapter is to provide for more effective and efficient management of the forest and land resources in the state by consolidating into a department of natural resources certain powers, duties and functions of the division of forestry of the department of conservation and development, the board of state land commissioners, the state forest board, all state sustained yield forest committees, director of conservation and development, state capitol committee, director of licensing, secretary of state, director of revenue, and commissioner of public lands.

[1979 c 107 § 4; 1965 c 8 § 43.30.010. Prior: 1957 c 38 § 1.]

RCW 43.30.020 Definitions.

For the purpose of this chapter, except where a different interpretation is required by the context:

- (1) "Department" means the department of natural resources;
- (2) "Board" means the board of natural resources;
- (3) "Administrator" means the administrator of the department of natural resources;
- (4) "Supervisor" means the supervisor of natural resources;
- (5) "Agency" and "state agency" means any branch, department, or unit of the state government, however designated or constituted;
- (6) "Commissioner" means the commissioner of public lands.

[1965 c 8 § 43.30.020. Prior: 1957 c 38 § 2.]

RCW 43.30.030 Department created.

The department of natural resources is hereby created, to consist of a board of natural resources, an administrator and a supervisor.

[1965 c 8 § 43.30.030. Prior: 1957 c 38 § 3.]

RCW ~~43.30.270~~ 43.30.055 Employees--Applicability of merit system.

All employees of the department ~~of natural resources~~ shall be governed by any merit system which is now or may hereafter be enacted by law governing such employment.

[1965 c 8 § 43.30.270. Prior: 1957 c 38 § 27.]

**PART II
Organization**

RCW ~~43.30.050~~ 43.30.105 Administrator of department.

The commissioner of public lands shall be the administrator of the department.

[1965 c 8 § 43.30.050. Prior: 1957 c 38 § 5.]

RCW ~~43.30.060~~ 43.30.155 Supervisor of natural resources--Appointment.

The supervisor shall be appointed by the administrator with the advice and consent of the board. ~~He~~ The supervisor shall serve at the pleasure of the administrator.

[1965 c 8 § 43.30.060. Prior: 1957 c 38 § 6.]

**PART III
Board of Natural Resources**

RCW ~~43.30.040~~ 43.30.205 Board of natural resources--Composition.

The board shall consist of six members: The governor or the governor's designee, the superintendent of public instruction, the commissioner of public lands, the dean of the college of forest resources of the University of Washington, the dean of the college of agriculture of Washington State University, and a representative of those counties that contain state forest lands acquired or transferred under chapter ~~76.12~~ RCW 79.22.010, 79.22.040, and 79.22.020.

The county representative shall be selected by the legislative authorities of those counties that contain state forest lands acquired or transferred under ~~chapter 76.12~~ RCW 79.22.010, 79.22.040, and 79.22.020. In the selection of the county representative, each participating county shall have one vote. The Washington state association of counties shall conduct a meeting for the purpose of making the selection and shall notify the board of the selection. The county representative shall be a duly elected member of a county legislative authority who shall serve a term of four years unless the representative should leave office for any reason. The initial term shall begin on July 1, 1986.

[1986 c 227 § 1; 1979 ex.s. c 57 § 9; 1965 c 8 § 43.30.040. Prior: 1957 c 38 § 4.]

RCW 43.30.150 43.30.215 Powers and duties of board—~~Personnel—Advisory committees—Organization—Travel expenses.~~

The board shall:

(1) Perform duties relating to appraisal, appeal, approval and hearing functions as provided by law;

(2) Establish policies to ~~insure~~ ensure that the acquisition, management and disposition of all lands and resources within the department's jurisdiction are based on sound principles designed to achieve the maximum effective development and use of such lands and resources consistent with laws applicable thereto;

(3) Constitute the board of appraisers provided for in Article 16, section 2 of the state Constitution;

(4) Constitute the commission on harbor lines provided for in Article 15, section 1 of the state Constitution as amended;

~~— (5) Hold regular monthly meetings at such times as it may determine, and such special meetings as may be called by the chairman or majority of the board membership upon written notice to all members thereof: PROVIDED, That the board may dispense with any regular meetings, except that the board shall not dispense with two consecutive regular meetings;~~

~~(6)~~ (5) Adopt and enforce such rules and regulations as may be deemed necessary and proper for carrying out the powers, duties and functions imposed upon it by this chapter;

~~— (7) Employ and fix the compensation of such technical, clerical and other personnel as may be deemed necessary for the performance of its duties;~~

~~— (8) Appoint such advisory committees as it may deem appropriate to advise and assist it to more effectively discharge its responsibilities. The members of such committees shall receive no compensation, but shall be entitled to reimbursement for travel expenses in attending committee meetings in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended;~~

~~— (9) Meet and organize within thirty days after March 6, 1957 and on the third Monday of each January following a state general election at which the elected ex officio members of the board are elected. The board shall select its own chairman. The commissioner of public lands shall be the secretary of the board. The board may select a vice chairman from among its members. In the absence of the chairman and vice chairman at a meeting of the board, the members shall elect a chairman pro tem. No action shall be taken by the board except by the agreement of at least four members. The department and the board shall maintain its principal office at the capital;~~

~~— (10) Be entitled to reimbursement individually for travel expenses incurred in the discharge of their official duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.~~

{lined out portion recodified as 43.30.225}

[1988 c 128 § 10; 1986 c 227 § 2; 1975-'76 2nd ex.s. c 34 § 107; 1965 c 8 § 43.30.150. Prior: 1957 c 38 § 15.]

Notes:

Effective date--Severability--1975-'76 2nd ex.s. c 34: See notes following RCW 2.08.115.

NEW SECTION 43.30.225 Organization—Expenses--Advisory Committees.

The board shall:

(1) Hold regular monthly meetings at such times as it may determine, and such special meetings as may be called by the ~~chairman~~ chair or majority of the board membership upon written notice to all members thereof ~~: PROVIDED, That~~ However, the board may dispense with any regular meetings, except that the board shall not dispense with two consecutive regular meetings;

(2) Employ and fix the compensation of ~~such~~ technical, clerical and other personnel as ~~may be~~ deemed necessary for the performance of its duties;

(3) Appoint such advisory committees as ~~it may~~ be deemed appropriate to advise and assist it to more effectively discharge its responsibilities. The members of such committees shall receive no compensation, but ~~shall be~~ are entitled to reimbursement for travel expenses in attending committee meetings in accordance with RCW 43.03.050 and 43.03.060 ~~as now existing or hereafter amended~~;

(4) Meet and organize ~~within thirty days after March 6, 1957 and~~ on the third ~~Monday~~ Tuesday of each January following a state general election at which the elected ex officio members of the board are elected. The board shall select its own ~~chairman~~ chair. The commissioner of public lands shall be the secretary of the board. The board may select a vice ~~chairman~~ -chair from among its members. In the absence of the ~~chairman~~ chair and vice ~~chairman~~ -chair at a meeting of the board, the members shall elect a ~~chairman~~ chair pro tem. No action shall be taken by the board except by the agreement of at least four members. The department and the board shall maintain its principal office at the capital;

{The third Monday in January is now a state holiday. As such, the Board cannot meet on this day, but does so on the next business day.}

(5) Be entitled to reimbursement individually for travel expenses incurred in the discharge of their official duties in accordance with RCW 43.03.050 and 43.03.060 ~~as now existing or hereafter amended~~.

{43.30.150 (5), (7) through (10)}

RCW ~~79.01.052~~ 43.30.235 Board of natural resources--Records--Rules and regulations.

~~(1) The board of natural resources shall keep its records in the office of the commissioner of public lands, and shall keep a full and complete record of its proceedings relating to the appraisal of lands granted for educational purposes, and~~

(2) Records for all forest lands acquired by the state and any lands owned by the state and designated as such by the department must be maintained by the department as provided in RCW 79.22.030.

(3) The board shall have the power, from time to time, to make and enforce rules and regulations for the carrying out of the provisions of this ~~chapter~~ title relating to its duties not inconsistent with law.

[1988 c 128 § 51; 1982 1st ex.s. c 21 § 149; 1927 c 255 § 13; RRS § 7797-13. Formerly RCW 43.65.020.]

Notes:

Savings--Captions--Severability--Effective dates--1982 1st ex.s. c 21: See RCW 79.96.901 through 79.96.905.

**PART IV
Funds**

RCW ~~43.30.280~~ 43.30.305 Natural resources equipment fund--Authorized--Purposes--Expenditure.

A revolving fund in the custody of the state treasurer, to be known as the natural resources equipment fund, is hereby created to be expended by the department ~~of natural resources~~ without appropriation solely for the purchase of equipment, machinery, and supplies for the use of the department and for the payment of the costs of repair and maintenance of such equipment, machinery, and supplies.

[1965 c 8 § 43.30.280. Prior: 1963 c 141 § 1.]

RCW ~~43.30.290~~ 43.30.315 Natural resources equipment fund--Reimbursement.

The natural resources equipment fund shall be reimbursed by the department ~~of natural resources~~ for all moneys expended from it. Reimbursement may be prorated over the useful life of the equipment, machinery, and supplies purchased by moneys from the fund. Reimbursement may be made from moneys appropriated or otherwise available to the department for the purchase, repair and maintenance of equipment, machinery, and supplies and shall be prorated on the basis of relative benefit to the programs. For the purpose of making reimbursement, all existing and hereafter acquired equipment, machinery, and supplies of the department shall be deemed to have been purchased from the natural resources equipment fund.

[1965 c 8 § 43.30.290. Prior: 1963 c 141 § 2.]

RCW ~~43.85.130~~ 43.30.325 Deposit of commissioner of public lands and department of natural resources funds--Natural resources deposit fund--Repayments.

(1) The department shall deposit daily all moneys and fees collected or received by the commissioner ~~of public lands~~ and the department ~~of natural resources~~ in the discharge of official duties as follows:

(a) The department shall pay moneys received as advance payments, deposits, and security from successful bidders under RCW ~~79.01.132~~ 79.15.080 and ~~79.01.204~~ 79.11.150 and 79.15.110 to the state treasurer for deposit under subsection (1)(b) of this section. Moneys received from unsuccessful bidders shall be returned as provided in RCW ~~79.01.204~~ 79.11.150 and 79.15.110;

(b) The department shall pay all moneys received on behalf of a trust fund or account to the state treasurer for deposit in the trust fund or account after making the deduction authorized under RCW ~~76.12.030~~ 76.22.040, ~~76.12.120~~ 76.22.050, and 79.64.040;

(c) The natural resources deposit fund is hereby created. The state treasurer is the

custodian of the fund. All moneys or sums which remain in the custody of the commissioner of public lands awaiting disposition or where the final disposition is not known shall be deposited into the natural resources deposit fund. Disbursement from the fund shall be on the authorization of the commissioner or the commissioner's designee, without necessity of appropriation;

(d) If it is required by law that the department repay moneys disbursed under ~~subsections~~ (4) (a) and (4) (b) of this ~~section~~ subsection the state treasurer shall transfer such moneys, without necessity of appropriation, to the department upon demand by the department from those trusts and accounts originally receiving the moneys.

(2) Money shall not be deemed to have been paid to the state upon any sale or lease of land until it has been paid to the state treasurer.

[1981 2nd ex.s. c 4 § 1; 1965 c 8 § 43.85.130. Prior: (i) 1911 c 51 § 1; RRS § 5555. (ii) 1909 c 133 § 1, part; 1907 c 96 § 1, part; RRS § 5501, part.]

Notes:

Moneys received and invested prior to December 1, 1981: "Moneys received as deposits from successful bidders, advance payments, and security under RCW 79.01.132 and 79.01.204, which have been invested prior to December 1, 1981, in time deposits, shall be subject to RCW 43.85.130 as each time deposit matures." [1981 2nd ex.s. c 4 § 2.]

Severability--1981 2nd ex.s. c 4: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1981 2nd ex.s. c 4 § 16.]

RCW ~~76.01.040~~ 43.30.340 Federal funds for management and protection of forests, forest and range lands.

The department of ~~natural resources~~ is ~~hereby~~ authorized to receive funds from the federal government for cooperative work in management and protection of forests and forest and range lands as may be authorized by any act of Congress which is now, or may hereafter be, adopted for such purposes.

[1988 c 128 § 13; 1957 c 78 § 1.]

RCW ~~76.01.050~~ 43.30.345 Federal funds for management and protection of forests, forest and range lands--Disbursement of funds.

The department of ~~natural resources~~ is ~~hereby~~ authorized to disburse such funds, together with any funds which may be appropriated or contributed from any source for such purposes, on management and protection of forests and forest and range lands.

[1988 c 128 § 14; 1957 c 78 § 2.]

RCW 43.30.360 Clarke-McNary fund.

The department and Washington State University may each receive funds from the federal government in connection with cooperative work with the United States department of

agriculture, authorized by sections 4 and 5 of the Clarke-McNary act of congress, approved June 7, 1924, providing for the procurement, protection, and distribution of forestry seed and plants for the purpose of establishing windbreaks, shelter belts, and farm wood lots and to assist the owners of farms in establishing, improving, and renewing wood lots, shelter belts, and windbreaks; and are authorized to disburse such funds as needed. During the 2001-2003 fiscal biennium, the legislature may transfer from the Clarke-McNary fund to the state general fund such amounts as reflect the excess fund balance of the Clark-McNary fund.

[2002 c 371 § 908; 1986 c 100 § 46.]

Notes:

Severability—Effective date—2002 c 371: See notes following RCW 9.46.100.

RCW 43.30.370 Cooperative farm forestry funds.

The department and Washington State University may each receive funds from the federal government for cooperative work, as authorized by the cooperative forest management act of congress, approved May 18, 1937, and as subsequently authorized by any amendments to or substitutions for that act, for all purposes authorized by those acts, and to disburse the funds in cooperation with the federal government in accordance therewith.

[1986 c 100 § 47.]

RCW ~~43.30.115~~ 43.30.385 Park land trust revolving fund.

The park land trust revolving fund is to be utilized by the department of ~~natural resources~~ for the exclusive purpose of acquiring real property, including all reasonable costs associated with these acquisitions, as a replacement for the property transferred to the state parks and recreation commission, as directed by the legislature in order to maintain the land base of the affected trusts or under RCW ~~76.12.125~~ 79.22.060. Proceeds from transfers of real property to the state parks and recreation commission or other proceeds identified from transfers of real property as directed by the legislature shall be deposited in this fund. Disbursement from the park land trust revolving fund to acquire replacement property shall be on the authorization of the department of ~~natural resources~~. In order to maintain an effective expenditure and revenue control, the park land trust revolving fund is subject in all respects to chapter 43.88 RCW, but no appropriation is required to permit expenditures and payment of obligations from the fund.

[2000 c 148 § 4; 1995 c 211 § 5.]

Notes:

Findings--Intent--Effective date--Severability--1995 c 211: See notes following RCW 79A.05.070.

PART V
Duties and Powers - General

RCW ~~43.30.130~~ 43.30.411 Department to exercise ~~certain~~ powers and duties—of the commissioner of public lands.

The department shall exercise all of the powers, duties and functions now vested in the commissioner of public lands and such powers, duties and functions are hereby transferred to the department : ~~PROVIDED, That~~ . However, nothing ~~herein~~ contained in this section shall effect ~~his~~ the commissioner's ex officio membership on any committee provided by law.

[1965 c 8 § 43.30.130. Prior: 1957 c 38 § 13.]

RCW ~~43.30.160~~ 43.30.421 Powers and duties of Administrator—Personnel.

The administrator shall have responsibility for performance of all the powers, duties and functions of the department except those specifically assigned to the board. In the performance of ~~his~~ these powers, duties and functions, the administrator shall conform to policies established by the board, and may employ and fix the compensation of such personnel as may be required to perform the duties of ~~his~~ this office.

[1965 c 8 § 43.30.160. Prior: 1957 c 38 § 16.]

RCW ~~43.30.170~~ 43.30.430 Powers and duties of Supervisor—Personnel—Bond.

The supervisor shall:

- (1) Be charged with the direct supervision of the department's activities as delegated ~~to him~~ by the administrator;
- (2) Perform his or her duties in conformance with the policies established by the board;
- (3) Organize the department, with approval of the administrator, into such subordinate divisions as ~~he may~~ the supervisor deem deems appropriate for the conduct of its operations;
- (4) Employ and fix the compensation of such technical, clerical and other personnel as may be required to carry on activities under his or her supervision;
- (5) Delegate by order any ~~of his~~ assigned powers, duties and functions to one or more deputies or assistants, as ~~he may~~ desired;
- (6) Furnish before entering upon ~~his~~ the duties of this position a surety bond payable to the state in such amount as may be determined by the board, conditioned for the faithful performance of ~~his~~ duties and for ~~his~~ accounting of all moneys and property of the state that may come into ~~his~~ possession of or under his the control of this position. ~~by virtue of his office.~~

[1965 c 8 § 43.30.170. Prior: 1957 c 38 § 17.]

RCW ~~43.30.180~~ 43.30.440 Oaths may be administered by supervisor and deputies.

The supervisor and ~~his~~ duly authorized deputies may administer oaths.

[1965 c 8 § 43.30.180. Prior: 1957 c 38 § 18.]

RCW ~~76.01.060~~ 43.30.450 Right of entry in course of duty by representatives of department of ~~natural resources~~.

Any authorized assistants, employees, agents, appointees or representatives of the department of ~~natural resources~~ may, in the course of their inspection and enforcement duties as provided for in chapters 76.04, 76.06, 76.09, ~~76.16~~, and 76.36 RCW, enter upon any lands, real estate, waters or premises except the dwelling house or appurtenant buildings in this state whether public or private and remain thereon while performing such duties. Similar entry by the department of ~~natural resources~~ may be made for the purpose of making examinations, locations, surveys and/or appraisals of all lands under the management and jurisdiction of the department of ~~natural resources~~; or for making examinations, appraisals and, after five days' written notice to the landowner, making surveys for the purpose of possible acquisition of property to provide public access to public lands. In no event other than an emergency such as fire fighting shall motor vehicles be used to cross a field customarily cultivated, without prior consent of the owner. None of the entries herein provided for shall constitute trespass, but nothing contained herein shall limit or diminish any liability which would otherwise exist as a result of the acts or omissions of ~~said~~ the department or its representatives.

{all of chapter 76.16 is recodified into chapter 79.36}

[2000 c 11 § 1; 1983 c 3 § 194; 1971 ex.s. c 49 § 1; 1963 c 100 § 1.]

RCW ~~43.30.355~~ 43.30.460 Department to participate in and administer federal Safe Drinking Water Act in conjunction with other departments.

See RCW 43.21A.445.

RCW ~~43.30.400~~ 43.30.470 Senior environmental corps—~~Department powers and duties~~.

(1) The department of ~~natural resources~~ shall have ~~has~~ the following powers and duties in carrying out its responsibilities for the senior environmental corps created under RCW 43.63A.247:

- (a) Appoint a representative to the coordinating council;
- (b) Develop project proposals;
- (c) Administer project activities within the agency;
- (d) Develop appropriate procedures for the use of volunteers;
- (e) Provide project orientation, technical training, safety training, equipment, and supplies to carry out project activities;
- (f) Maintain project records and provide project reports;
- (g) Apply for and accept grants or contributions for corps-approved projects; and
- (h) With the approval of the council, enter into memoranda of understanding and cooperative agreements with federal, state, and local agencies to carry out corps-approved projects.

(2) The department shall not use corps volunteers to displace currently employed workers.

[1992 c 63 § 10.]

Notes:

Severability--1992 c 63: See note following RCW 43.63A.240.

RCW ~~43.30.410~~ 43.30.480 Watershed restoration projects--Permit processing.

A permit required by the department for a watershed restoration project as defined in RCW 89.08.460 shall be processed in compliance with RCW 89.08.450 through 89.08.510.

[1995 c 378 § 13.]

RCW ~~43.30.420~~ 43.30.490 Cost-reimbursement agreements for complex projects.

(1) The department may enter into a written cost-reimbursement agreement with a permit or lease applicant for a complex project to recover from the applicant the reasonable costs incurred by the department in carrying out the requirements of this chapter, as well as the requirements of other relevant laws, as they relate to permit coordination, environmental review, application review, technical studies, and permit or lease processing. The cost-reimbursement agreement shall identify the specific tasks, costs, and schedule for work to be conducted under the agreement. For purposes of this section, a complex project is a project for which an environmental impact statement is required under chapter 43.21C RCW. An applicant for a lease issued under chapter 79.90 RCW may not enter into a cost-reimbursement agreement under this section for projects conducted under the lease.

(2) The written cost-reimbursement agreement shall be negotiated with the permit or lease applicant. Under the provisions of a cost-reimbursement agreement, funds from the applicant shall be used by the department to contract with an independent consultant to carry out the work covered by the cost-reimbursement agreement. The department may also use funds provided under a cost-reimbursement agreement to assign current staff to review the work of the consultant, to provide necessary technical assistance when an independent consultant with comparable technical skills is unavailable, and to recover reasonable and necessary direct and indirect costs that arise from processing the permit or lease. The department shall, in developing the agreement, ensure that final decisions that involve policy matters are made by the agency and not by the consultant. The department shall make an estimate of the number of permanent staff hours to process the permits or leases, and shall contract with consultants to replace the time and functions committed by these permanent staff to the project. The billing process shall provide for accurate time and cost accounting and may include a billing cycle that provides for progress payments. Use of cost-reimbursement agreements shall not reduce the current level of staff available to work on permits or leases not covered by cost-reimbursement agreements. The department may not use any funds under a cost-reimbursement agreement to replace or supplant existing funding. The restrictions of chapter 42.52 RCW apply to any cost-reimbursement agreement, and to any person hired as a result of a cost-reimbursement agreement.

(3) The department may not enter into any new cost-reimbursement agreements on or after July 1, 2005. The department may continue to administer any cost-reimbursement agreement which was entered into before July 1, 2005, until the project is completed.

[2000 c 251 § 3.]

Notes:

Intent--Captions not law--Effective date--2000 c 251: See notes following RCW 43.21A.690.

RCW ~~43.30.210~~ 43.30.510 Administrator may designate substitute for member of board, commission, etc.

When any officer, member, or employee of an agency abolished by provisions of this chapter is, under provisions of existing law, designated as a member ex officio of another board, commission, committee, or other agency, and no provision is made in this chapter with respect to a substitute, the administrator shall designate the officer or other person to serve hereafter in that capacity.

[1965 c 8 § 43.30.210. Prior: 1957 c 38 § 21.]

RCW ~~43.30.250~~ 43.30.520 Property transactions, restrictive conveyances, highway purpose--Existing law to continue.

Nothing in this chapter shall be interpreted as changing existing law with respect to:

(1) Property given to a state agency on restrictive conveyance with provision for reversion to the grantor or for the vesting of title in another if and when such property is not used by the agency concerned for the stipulated purposes;

(2) Land or other property acquired by any state agency for highway purposes.

[1965 c 8 § 43.30.250. Prior: 1957 c 38 § 25.]

RCW ~~43.30.260~~ 43.30.530 Real property--Services and facilities available to other state agencies, cost.

Upon request by any state agency vested by law with the authority to acquire or manage real property, the department shall make available to such agency the facilities and services of the department ~~of natural resources~~ with respect to such acquisition or management, upon condition that such agency reimburse the department for the costs of such services.

[1965 c 8 § 43.30.260. Prior: 1957 c 38 § 26.]

PART VI Duties and Powers – Mining and Geology

RCW ~~43.30.125~~ 43.30.600 ~~Department to exercise certain powers and duties--State geological survey.~~

The department ~~of natural resources~~ shall assume full charge and supervision of the state geological survey and perform such other duties as may be prescribed by law.

[1988 c 127 § 3; 1965 c 8 § 43.21.050. Prior: 1921 c 7 § 69; RRS § 10827. Formerly RCW 43.21.050.]

Notes:

Mining survey reports, forwarding to: RCW 78.06.030.

Provisions relating to geological survey: Chapter 43.92 RCW, RCW 43.27A.130.

RCW ~~43.30.138~~ 43.30.610 Duties of department--Mining.

The department ~~of natural resources~~ shall:

- (1) Collect, compile, publish, and disseminate statistics and information relating to mining, milling, and metallurgy;
- (2) Make special studies of the mineral resources and industries of the state;
- (3) Collect and assemble an exhibit of mineral specimens, both metallic and nonmetallic, especially those of economic and commercial importance; such collection to constitute the museum of mining and mineral development;
- (4) Collect and assemble a library pertaining to mining, milling, and metallurgy of books, reports, drawings, tracings, and maps and other information relating to the mineral industry and the arts and sciences of mining and metallurgy;
- (5) Make a collection of models, drawings, and descriptions of the mechanical appliances used in mining and metallurgical processes;
- (6) Issue bulletins and reports with illustrations and maps with detailed description of the natural mineral resources of the state;
- (7) Preserve and maintain such collections and library open to the public for reference and examination and maintain a bureau of general information concerning the mineral and mining industry of the state, and issue from time to time at cost of publication and distribution such bulletins as may be deemed advisable relating to the statistics and technology of minerals and the mining industry;
- (8) Make determinative examinations of ores and minerals, and consider other scientific and economical problems relating to mining and metallurgy;
- (9) Cooperate with all departments of the state government, state educational institutions, the United States geological survey and the United States bureau of mines. All departments of the state government and educational institutions shall render full cooperation to the department in compiling useful and scientific information relating to the mineral industry within and without the state, without cost to the department.

[1988 c 127 § 4; 1965 c 8 § 43.21.070. Prior: 1935 c 142 § 2; RRS § 8614-2. Formerly RCW 43.21.070.]

Notes:

Mining survey reports forwarded to: RCW 78.06.030.

RCW ~~43.30.350~~ 43.30.620 Department of ~~natural resources~~ to exercise mining and geology powers and duties of department of conservation.

See RCW 43.27A.120 and 43.27A.130.

RCW ~~43.12.025~~ 43.30.630 Sealing of open holes and mine shafts.

The department ~~of natural resources~~ shall work with federal officials and private mine owners to ensure the prompt sealing of open holes and mine shafts that constitute a threat to safety.

[1985 c 459 § 7.]

Notes:

Severability--1985 c 459: See note following RCW 79.01.668.

RCW ~~43.12.035~~ 43.30.640 Mine owners--Maps of property surface and underground workings--Filing.

The owner of each mine shall make a map of the surface of the property. The owner of each active mine shall make a map of the underground workings. All maps shall be filed with the department ~~of natural resources~~. The department shall establish by rule the scale and contents required for the maps.

[1985 c 459 § 8.]

Notes:

Severability--1985 c 459: See note following RCW 79.01.668.

RCW ~~43.30.141~~ 43.30.650 Gifts and bequests relating to mining.

The department ~~of natural resources~~ may receive on behalf of the state, for the benefit of mining and mineral development, gifts, bequests, devises, and legacies of real or personal property and use them in accordance with the wishes of the donors and manage, use, and dispose of them for the best interests of mining and mineral development.

[1988 c 127 § 5; 1965 c 8 § 43.21.080. Prior: 1935 c 142 § 3; RRS § 8614-3. Formerly RCW 43.21.080.]

RCW ~~43.30.145~~ 43.30.660 Collection of minerals for exhibition.

The department ~~of natural resources~~ may, from time to time, prepare special collections of ores and minerals representative of the mineral industry of the state to be displayed or used at any world fair, exposition, mining congress, or state exhibition, in order to promote information relating to the mineral wealth of the state.

[1988 c 127 § 6; 1965 c 8 § 43.21.090. Prior: 1935 c 142 § 4; RRS § 8614-4. Formerly RCW 43.21.090.]

PART VII

Duties and Powers – Forested Lands

RCW ~~43.30.135~~ 43.30.700 Powers of department--Forested lands.

- (1) The department may:
 - (a) Inquire into the production, quality, and quantity of second growth timber to ascertain conditions for reforestation; and
 - (b) Publish information pertaining to forestry and forest products which it considers of benefit to the people of the state.
- (2) The department shall:
 - (a) Collect information through investigation by its employees, on forest lands owned by the state, including:

- (i) Condition of the lands;
 - (ii) Forest fire damage;
 - (iii) Illegal cutting, trespassing, or thefts; and
 - (iv) The number of acres and the value of the timber that is cut and removed each year, to determine which state lands are valuable chiefly for growing timber;
 - (b) Prepare maps of each timbered county showing state land therein; and
 - (c) Protect state land as much as is practical and feasible from fire, trespass, theft, and the illegal cutting of timber.
- (3) When the department considers it to be in the best interest of the state, it may cooperate with any agency of another state, the United States or any agency thereof, the Dominion of Canada or any agency or province thereof, and any county, town, corporation, individual, or Indian tribe within the state of Washington in:
- (a) Forest surveys;
 - (b) Forest studies;
 - (c) Forest products studies; and
 - (d) Preparation of plans for the protection, management, and replacement of trees, wood lots, and timber tracts.

[1986 c 100 § 50.]

Notes:

Study--1989 c 424: "The department of natural resources shall conduct a study of state-owned hardwood forests. The study shall include, but is not limited to: A comprehensive inventory of state-owned hardwood forests and a qualitative assessment of those stands, research into reforestation of hardwoods on state lands, and an analysis of management policies for increasing the supply of commercially harvestable hardwoods on state lands." [1989 c 424 § 5.]

Report to legislature--1989 c 424: "If by October 1, 1989, the United States congress makes an appropriation to the United States forest service for a Washington state forest inventory and timber supply study, the department of natural resources shall conduct an inventory and prepare a report on the timber supply in Washington state. The report shall identify the quantity of timber present now and the quantity of timber that may be available from forest lands in the future using various assumptions of landowner management, including changes in the forest land base, amount of capital invested in timber management, and expected harvest age. This report shall categorize the results according to region of the state, land ownership, land productivity, and according to major timber species.

The report shall contain an estimate of the acreage and volume of old growth and other timber on lands restricted from commercial timber harvesting due to state or federal decisions, such as national parks, wilderness areas, national recreation areas, scenic river designations, natural areas, geologic areas, or other land allocations which restrict or limit timber harvesting activities. The department shall determine the definition of old growth for the purposes of this section.

State appropriations for these purposes in the 1989-91 budget may be expended if needed for project planning and design. The report shall be submitted to the appropriate committees of the senate and the house of representatives by June 1, 1991." [1989 c 424 § 8.]

**RCW ~~76.12.160~~ 43.30.710 Sale or exchange of tree seedling stock and tree seed--
Provision of stock or seed to local governments or nonprofit organizations.**

The department is authorized to sell to or exchange with persons intending to restock forest areas, tree seedling stock and tree seed produced at the state nursery.

The department may provide at cost, stock or seed to local governments or nonprofit organizations for urban tree planting programs consistent with the community and urban forestry program.

[1993 c 204 § 7; 1988 c 128 § 35; 1947 c 67 § 1; Rem. Supp. 1947 § 5823-40.]

Notes:

Findings--1993 c 204: See note following RCW 35.92.390.

RCW ~~76.12.170~~ 43.30.720 Use of proceeds specified.

All receipts from the sale of stock or seed shall be deposited in a state forest nursery revolving fund to be maintained by the department, which is hereby authorized to use all money in said fund for the maintenance of the state tree nursery or the planting of denuded state owned lands.

[1988 c 128 § 36; 1947 c 67 § 2; RRS § 5823-41.]

**PART VIII
Olympic Natural Resources Center**

RCW ~~76.12.205~~ 43.30.800 ~~Olympic natural resources center~~—Finding, intent.

The legislature finds that conflicts over the use of natural resources essential to the state's residents, especially forest and ocean resources, have increased dramatically. There are growing demands that these resources be fully utilized for their commodity values, while simultaneously there are increased demands for protection and preservation of these same resources. While these competing demands are most often viewed as mutually exclusive, recent research has suggested that commodity production and ecological values can be integrated. It is the intent of the legislature to foster and support the research and education necessary to provide sound scientific information on which to base sustainable forest and marine industries, and at the same time sustain the ecological values demanded by much of the public.

[1991 c 316 § 1.]

Notes:

Severability--1991 c 316: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1991 c 316 § 6.]

RCW ~~76.12.210~~ 43.30.810 ~~Olympic natural resources center~~—Purpose, programs.

The Olympic natural resources center is hereby created at the University of Washington in the college of forest resources and the college of ocean and fishery sciences. The center shall maintain facilities and programs in the western portion of the Olympic Peninsula. Its purpose shall be to demonstrate innovative management methods which successfully integrate environmental and economic interests into pragmatic management of forest and ocean resources. The center shall combine research and educational opportunities with experimental forestry, oceans management, and traditional management knowledge into an overall program which demonstrates that management based on sound economic principles is made superior when combined with new methods of management based on ecological principles. The programs developed by the center shall include the following:

(1) Research and education on a broad range of ocean resources problems and opportunities in the region, such as estuarine processes, ocean and coastal management, offshore development, fisheries and shellfish enhancement, and coastal business development, tourism,

and recreation. In developing this component of the center's program, the center shall collaborate with coastal educational institutions such as Grays Harbor community college and Peninsula community college;

(2) Research and education on forest resources management issues on the landscape, ecosystem, or regional level, including issues that cross legal and administrative boundaries;

(3) Research and education that broadly integrates marine and terrestrial issues, including interactions of marine, aquatic, and terrestrial ecosystems, and that identifies options and opportunities to integrate the production of commodities with the preservation of ecological values. Where appropriate, programs shall address issues and opportunities that cross legal and administrative boundaries;

(4) Research and education on natural resources and their social and economic implications, and on alternative economic and social bases for sustainable, healthy, resource-based communities;

(5) Educational opportunities such as workshops, short courses, and continuing education for resource professionals, policy forums, information exchanges including international exchanges where appropriate, conferences, student research, and public education; and

(6) Creation of a neutral forum where parties with diverse interests are encouraged to address and resolve their conflicts.

[1991 c 316 § 2; 1989 c 424 § 4.]

Notes:

Severability--1991 c 316: See note following RCW 76.12.205.

Effective date--1989 c 424: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect July 1, 1989." [1989 c 424 § 13.]

RCW ~~76.12.220~~ 43.30.820 ~~Olympic natural resources center--Administration.~~

The Olympic natural resources center shall operate under the authority of the board of regents of the University of Washington. It shall be administered by a director appointed jointly by the deans of the college of forest resources and the college of ocean and fishery sciences. The director shall be a member of the faculty of one of those colleges. The director shall appoint and maintain a scientific or technical committee, and other committees as necessary, to advise the director on the efficiency, effectiveness, and quality of the center's activities.

A policy advisory board consisting of eleven members shall be appointed by the governor to advise the deans and the director on policies for the center that are consistent with the purposes of the center. Membership on the policy advisory board shall broadly represent the various interests concerned with the purposes of the center, including state and federal government, environmental organizations, local community, timber industry, and Indian tribes.

Service on boards and committees of the center shall be without compensation but actual travel expenses incurred in connection with service to the center may be reimbursed from appropriated funds in accordance with RCW 43.03.050 and 43.03.060.

[1991 c 316 § 3.]

Notes:

Severability--1991 c 316: See note following RCW 76.12.205.

RCW ~~76.12.230~~ 43.30.830 ~~Olympic natural resources center--Funding--Contracts.~~

The center may solicit gifts, grants, conveyances, bequests, and devises, whether real or personal property, or both, in trust or otherwise, to be directed to the center for carrying out the purposes of the center. The center may solicit contracts for work, financial and in-kind contributions, and support from private industries, interest groups, federal and state sources, and other sources. It may also use separately appropriated funds of the University of Washington for the center's activities.

[1991 c 316 § 4.]

Notes:

Severability--1991 c 316: See note following RCW 76.12.205.